

**DRAFT MEETING MINUTES
CITY OF MILPITAS**

Meeting Minutes: Regular Meeting of the Redevelopment Agency
(Including Joint Meeting with the City Council)

Date: Tuesday, August 1, 2006

Time: 7:00 PM

Location: City Hall Council Chambers, 455 E. Calaveras Blvd.

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA1. CALL TO ORDER Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 10:06 PM.

RA2. ROLL CALL **PRESENT:** Mayor/Chair Esteves, Vice Chair/Vice Mayor Gomez and Agency/Councilmembers Giordano, Livengood and Polanski

ABSENT: Mr. Gomez and Mr. Livengood were not present for the first minute of the RDA meeting

RA 3. MEETING MINUTES Motion: approve the Redevelopment Agency minutes of June 20, 2006, including joint meetings with the City Council, as submitted.

Motion/Second: Agency/Councilmember Giordano/ Agency/Councilmember Polanski

Motion carried by a vote of:

AYES:	3
NOES:	0
ABSENT:	2 (Livengood and Gomez)

RA 4. Approval of Agenda and Consent Calendar Motion: approve the RDA agenda and consent calendar

Motion/Second: Agency/Councilmember Polanski / Agency/Councilmember Giordano

Motion carried by a vote of:

AYES:	3
NOES:	0
ABSENT:	2 (Livengood and Gomez)

RA 5. Progress Report on Library and East Parking Garage CIP Projects Manager Mark Rogge discussed the new Library and the Parking Garage projects in the Milpitas Mid-Town.

Recently, there were three bidders for the construction of the parking garage and DevCon was low bidder for the MidTown East Parking Garage. Change Order authority was requested for this project.

Staff inquired if the Council/RDA wished to hold a groundbreaking ceremony for the parking garage. If so, September would be the appropriate time, on a Saturday morning. He discussed the "Good Neighbor Program" now in effect to encourage contractors and workers to shop and eat locally in Milpitas, in the MidTown area.

Councilmember Giordano felt there was no need for a groundbreaking for the parking garage, while she did support one for the Library. Mr. Rogge replied that the ground

breaking for the library would be extra special.

Councilmember Polanski liked the idea of a ceremony for the garage.

Motion: approve the following three staff recommendations:

1. Award Construction Contract for the Midtown East Garage, Project No. 8161, to the lowest responsive bidder, Devcon Construction, Inc., in the amount of \$9,008,119.
2. Authorize staff to execute time-critical change orders for the North Main Street Development Projects, provided that the change orders do not exceed the amounts established in the Cost Plan for each project or do not require additional appropriation.
3. Receive the progress report on the Library and Midtown East Parking Garage.

Motion/Second: Agency/Councilmember Livengood / Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5
NOES: 0

RA 6. 2005-2010 Redevelopment Implementation Plan

Economic Development Director Diana Whitecar reviewed the plan for the RDA/ Council, providing an overview of what she had described to the elected officials on past occasions.

Mayor Esteves opened the public hearing for comments; none heard.

(1) Motion: close public hearing

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Giordano

motion carried by a vote of: AYES: 5
NOES: 0

(2) Motion: adopt 2005-2010 Redevelopment Implementation Plan

Motion/Second: Agency/Councilmember Giordano/ Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5
NOES: 0

RA 7. Merger of the
Redevelopment Project Area No.
1 and the Great Mall
Redevelopment Project Area

Economic Development Manager Diana Whitecar introduced this subject by displaying a slide with the delineated outlines of the two existing RDA areas: Area No. 1 and the separate RDA Great Mall Area.

She noted that there were some specific details about signs required in order to merge RDA areas (noted in the staff report). Planning toward the future, maybe 30 years from now, \$1.6 billion dollars for implementation over those years would be spent on redevelopment efforts in the combined area.

Councilmember Polanski stated she thought the merger would help automobile dealers along Interstate 880; and she provided comments to staff about existing signs along that freeway, in consideration for future Great Mall signs. Staff agreed new signs were needed, that the Great Mall was in favor of that, and staff would work with other businesses for sign improvement in that end of Milpitas.

Vice Mayor Gomez inquired what findings were needed? Ms. Whitecar responded that substantial blight must be found, despite the fact that the state was changing what that exactly is defined as (physical, social, and other elements must be determined).

Mayor Esteves asked is this effort would be able to used to improve image of Milpitas? Staff responded affirmatively "absolutely. "

Motion:

1. Adopt Redevelopment Agency Resolution No. RA 261 approving the Preliminary Report for the proposed merger of Project Area No. 1 and the Great Mall Project Area, authorizing transmittal of the Report to the affected taxing entities, approving proposed Plan Amendments to the Redevelopment Plans for the Great Mall Project Area and Project Area No. 1, and authorizing transmittal of the proposed Plan Amendments to the affected taxing entities and to the Planning Commission.

2. Adopt City Council Resolution No. 7613 determining that a Project Area Committee is not required in conjunction with the merger of the Great Mall and Area No. 1 Redevelopment Project Areas

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Livengood

Motion carried unanimously by a vote of:

AYES: 5

NOES: 0

RA 8. Consulting Agreement
with Noll & Tam Architects for
Milpitas Senior Center

City Engineer Greg Armendariz introduced this topic.

Four topics would be discussed:

1. Project Team Organization: consists of City staff (Mr. Armendariz, Bonnie Greiner and Gail Seeds) and the City Council's Senior Center Subcommittee (Mayor Esteves and Councilmember Giordano)
2. Design Consultant selection process, presented by Gail Seeds – 6 proposals submitted
3. Consultant presentation by Noll & Tam Architects – Jeff Day, Project Manager
4. Project Schedule overview

Councilmember Livengood asked how costs for the consultant team were received, and reviewed; specifically, how the recommended consultant compared to other six firms. Staff responded Noll & Tam was the low bidder.

Mayor Esteves inquired where does computer technology expertise come in? Staff replied that an audiovisual and technology set was included on the consultant team.

Jeff Day from Noll & Tam, project manager for the Senior Center, provided some information on this project. His firm was founded in 1992 by experienced architects and consists of 25 architects who specialize in municipal buildings. He displayed examples of their work on screen, such as Santa Clara Community Center, Morgan Hill Community Recreation Center (with one wing for Senior Center), and the Fremont Family Resource Center,

Noll & Tam planned to work with TSMG Lauren Livingston for planning for the new Milpitas Senior Center.

Ms. Seeds described the scope of services, which included investigating existing conditions, conduct programming process, and design services, all of which totaled \$968,175 for the consultant contract.

Councilmember Giordano reported that the Subcommittee had discussed potential for some pre-construction to be done prior to the current Library being vacated. Mr. Armendariz replied that was unlikely, due to the loud noise and disruptive nature of construction on current library patrons.

Motion: Authorize the City Manager to execute a consulting services agreement with Noll & Tam Architects, in the amount of \$968,175, subject to approval as to form by the City Attorney

Motion/Second: Agency/Councilmember Giordano / Agency/Councilmember Polanski

Motion carried by a vote of:

AYES: 5

NOES: 0

***RA 9.** Negotiation with
Piercey Auto. Group

Adopted Resolution No. RA 262 authorizing the Agency Executive Director, or his designee, to execute an Exclusive Negotiating Rights Agreement with Piercey Automotive Group substantially in the form presented to the Agency Board

***RA 10.** Annual Investment
Policy

Adopted Redevelopment Agency Resolution No. RA 263 and City Council Resolution No. 7614, approving the annual investment policy for the City.

***RA 11.** Investment Portfolio
Status Report

Received the investment report for the quarter ended June 30, 2006

***RA 12.** Negotiation with
Global Premier Development

Approved authorization to enter negotiations with Global Premier Development, Inc. to provide Agency Financing assistance from its 20% Affordable Housing Set-Aside Fund

***RA 13.** Amendment with CEL
for Project No. 8161

Approved Amendment No. 1 to the Agreement with Consolidated Engineering Laboratories (CEL) for an amount not to exceed \$128,000 for special testing and inspection services for the Midtown East Parking Garage Project No. 8161

***RA 14.** Change Order for
Project No. 8153

Approved contract change order in the amount of \$84,287.50 to D'arcy Harty Construction, Inc. for the North Main Street Utilities, Project No. 8153

RA 15. ADJOURNMENT

Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 11:04 PM.

Respectfully submitted by:

Mary Lavelle
Agency Secretary/City Clerk